

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOHNNY LANDRUM, #134 871

*

Plaintiff,

*

v.

*

2:07-CV-495-WKW

DR. JOHN ALLEN JONES

*

Defendant.

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ORDER

In this removal action, filed in this court under the provisions of 42 U.S.C. § 1983, Plaintiff, a person incarcerated in a state correctional facility, alleges a violation of his civil rights with respect to medical treatment provided to him at Baptist Medical Towers ["Baptist"] in Montgomery, Alabama. Specifically, Plaintiff complains that upon his transfer to Baptist where he underwent cataract surgery, Dr. John Jones provided substandard medical care to him in violation of his constitutional rights.

The Magistrate Judge has reviewed the complaint and, to the extent that Plaintiff may be understood to make the argument that the Alabama Department of Corrections contracts with Dr. Jones to provide medical services to inmates in the custody of the Alabama Department of Corrections, the court finds that a response to this argument from the defendant is appropriate. In light of the foregoing, it is

ORDERED that on or before September 26, 2007, Defendant Jones shall file a response which advises the court whether he has entered into a contract with the Alabama

Department of Corrections or its medical care provider, Prison Health Services, Inc., to furnish medical treatment to state inmates.

The parties are advised that no motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint shall be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the clerk shall not file or otherwise treat the pleading as a dispositive motion absent further order of the court.

The Clerk is DIRECTED to provide a copy of this order to Plaintiff and to counsel of record.

DONE, this 11th day of September, 2007.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE